IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

REVIEW PETITION (L) NO. 35 OF 2007

IN

WRIT PETITION NO. 2915 OF 2006

Edward Paul Machado,
Proprietor, Veera Petroleum. .. Petitioner.

vs.

Hindustan Petroleum Corporation
Limited & Anr. .. Respondents.

Mr. Anoop Sharma for Petitioner.
Mr. M.D. Siodia i/by Rustamaji Ginawala
for Respondents.

..

Coram: J.N. PATEL &,
A.A. SAYED, JJ.
Date: 29th JUNE, 2007.

P.C.

. The clarification which is sought in respect of our order dated 24th April, 2007 is that this Court has directed the petitioner to approach the Civil Court which is an alternative remedy available to him. It is submitted that there is an arbitration clause in the

agreement and, therefore, the order be modified accordingly. We, therefore, modify our order as under:-

2. After the words "which is an alternative remedy available to him" add the words "or may approach an arbitral tribunal in terms of the agreement". The order dated 24th April, 2007 stands modified accordingly. The review petition is disposed of accordingly. No order as to costs.

3. In view of the disposal of the review petition, the notice of motion no. 305 of 2007 does not survive. The same stands dismissed.

(J.N. Patel, J.)

(A.A. Sayed, J.)